

A. ADDITIONAL REQUIREMENTS FOR EMERGENT NEED (AREN)

Purpose: This section describes an additional cash benefit available only to persons eligible for TANF, SFA, or Refugee cash assistance programs.

WAC 388-436-0002 If my family has an emergency, can I get help from DSHS to get or keep our housing or utilities?

DSHS has a program called Additional Requirements for Emergent Needs (AREN). If your family has an emergency and you need a one-time cash payment to get or keep safe housing or utilities, you may be eligible. The special AREN payment is in addition to the regular monthly cash grant your family may already get.

- (1) To get AREN, you must:
 - (a) Be eligible for Temporary Assistance for Needy Families (TANF), state family assistance (SFA), or refugee cash assistance (RCA);
 - (b) Have an emergency housing or utility need; and
 - (c) Have a good reason that you do not have enough money to pay your housing or utility costs.
- (2) To get AREN, you must be eligible for TANF, SFA, or RCA. This means you must:
 - (a) Get benefits through TANF, SFA, or RCA. For RCA you must also be pregnant or have an eligible child; or
 - (b) Apply for TANF, SFA, and RCA, and meet all eligibility criteria including:
 - (i) The maximum earned income limit under WAC 388-478-0035;
 - (ii) The requirement that your unearned income not exceed the grant payment standard;
 - (iii) The requirement that your countable income as defined under WAC 388-450-0162 must be below the payment standard in

- WAC 388-478-0020 when you have both earned income and unearned income;
- (iv) The resource limits under chapter 388-470 WAC;
 - (v) The program summary rules for either TANF (WAC 388-400-0005); SFA (WAC 388-400-0010); or RCA (WAC 388-400-0030); and
 - (vi) The requirement that you must be pregnant or have an eligible child.
- (3) If you do not get or do not want to get TANF, SFA or RCA, you cannot get AREN to help with one-time housing or utility costs. We will look to see if you are eligible for diversion cash assistance (DCA) under WAC 388-432-0005.
- (4) To get AREN, you must have an emergency housing or utility need. You may get AREN to help pay to:
- (a) Prevent eviction or foreclosure;
 - (b) Get housing if you are homeless or need to leave your home because of domestic violence;
 - (c) Hook up or prevent a shut off of utilities related to your health and safety. We consider the following utilities to be needed for health and safety:
 - (i) Electricity or fuel for heating, lighting, or cooking;
 - (ii) Water;
 - (iii) Sewer; and
 - (iv) Basic local telephone service if it is necessary for your basic health and safety.
 - (d) Repair damage or defect to your home when it causes a risk to your health or safety:

- (i) If you own the home, we may approve AREN for the least expensive method of ending the risk to your health or safety;
 - (ii) If you do not own the home, you must ask the landlord in writing to fix the damage according to the Residential Landlord-Tenant Act at chapter 59.18 RCW. If the landlord refuses to fix the damage or defect, we may pay for the repair or pay to move you to a different place whichever cost is lower.
- (e) If you get TANF or SFA, WorkFirst support services under WAC 388-310-0800 may be used to help you relocate to new housing to get a job, keep a job, or participate in WorkFirst activities. Non-housing expenses that are not covered under AREN may be paid under WorkFirst Support Services. This includes expenses such as car repair, diapers, or clothing.
- (5) To get AREN, you must have a good reason for not having enough money to pay for your housing or utility costs. You must prove that you:
 - (a) Did not have money available that you normally use to pay your rent and utilities due to an emergency situation that reduced your income (such as a long-term illness or injury);
 - (b) Had to use your money to pay for necessary or emergency expenses. Examples of necessary or emergency expenses include:
 - (i) Basic health and safety needs for shelter, food and clothing;
 - (ii) Medical care;
 - (iii) Dental care needed to get a job or because of pain;
 - (iv) Emergency child care;
 - (v) Emergency expenses due to a natural disaster, accident, or injury; and
 - (vi) Other reasonable and necessary expenses.

- (c) Are currently homeless; or
 - (d) Had your family's cash grant reduced or suspended when we budgeted your expected income for the month, but the income will not be available to pay for the need when the payment is due. You must make attempts to negotiate later payments with your landlord or utility company before you can get AREN.
- (6) In addition to having a good reason for not having enough money to pay for your costs, you must also explain how you will afford to pay for the on-going need in the future. We may deny AREN if your expenses exceed your income (if you are living beyond your means). We may approve AREN to help you get into housing you can afford.
- (7) If you meet the above requirements, we decide the amount we will pay based on the following criteria:
- (a) AREN payments may be made up to a maximum of \$750.
 - (b) We can make the payment all at once or as separate payments over a thirty-day period. The thirty-day period starts with the date of the first payment.
 - (c) The amount of AREN is in addition to the amount of your monthly TANF, SFA, or RCA cash grant.
 - (d) We will decide the lowest amount we must pay to end your housing or utility emergency. We will contact your landlord, utility company, or other vendor for information to make this decision. We may take any of the following steps when deciding the lowest amount to pay:
 - (i) We may ask you to arrange a payment plan with your landlord or utility company. This could include us making a partial payment, and you setting up a plan for you to repay the remaining amount you owe over a period of time.
 - (ii) We may have you use some of the money you have available in cash, checking, or savings to help pay for the expense. We will look at the money you have available as well as your bills when

we decide how much we will pay.

- (iii) We may consider income that is excluded or disregarded for cash assistance benefit calculations, such as SSI, as available to meet your emergency housing need.
 - (iv) We may consider money other individuals such as family or friends voluntarily give you. We will not count loans of money that you must repay to friends or family members.
 - (v) We may consider money from a non-needy caretaker relative that lives in the home.
 - (vi) We may look at what other community resources you currently have to help you with your need.
- (8) Starting August 1, 2000, your family can get AREN for your emergency housing or utility needs for one thirty-day period every twelve months:
- (a) The thirty-day period starts on the date we issue your first AREN payment and lasts for thirty consecutive days.
 - (b) The twelve-month period starts the month we issued your first AREN payment. The next time you could be eligible for AREN is the first day of the twelfth month after we issued the first AREN payment. For example, if we issued you AREN on January 15, you could be eligible again on the first of January the next year.
 - (c) The limit of one thirty-day period every 12 months applies to the following people even if they leave the assistance unit:
 - (i) Adults; and
 - (ii) Minor parents that get AREN when no adults are in the assistance unit.
 - (d) We do not look at AREN benefits you received before August 1, 2000 when we look to see if you received AREN in the last 12 months.

- (9) We pay AREN:
- (a) Directly to the landlord, mortgage company, utility, or other vendor whenever we can.
 - (b) If we cannot pay AREN directly to the landlord or other vendor, we will issue the AREN as a part of your TANF, SFA, or RCA cash grant. If we issue the AREN as a part of your grant, you must use it for your emergency need.
- (10) We may assign you a protective payee for your monthly grant under WAC 388-265-1250. [Ed. Note: This is an incorrect WAC reference. The correct reference is chapter 388-460 WAC.]

CLARIFYING INFORMATION**1. Application process:**

Clients that need AREN can request assistance as follows:

- a. If a client currently gets TANF, SFA, or RCA, the client can request AREN by:
 - (1) Completing the Emergency Assistance request (DSHS 14-337X); or
 - (2) Requesting the assistance over the phone and we will complete form DSHS 14-337X;
- b. If a client doesn't get assistance, they must complete both an application as required in WAC 388-406-0010 and form DSHS 14-337X.
- c. If the client doesn't get assistance, doesn't want on-going TANF, SFA, or RCA, and has an on-going means of support, the client must complete an application as required in WAC 388-406-0010. We would then look at the client's eligibility for Diversion Cash Assistance.

2. When a client receives TANF from another state:

A client who has applied for TANF in Washington, but is not eligible until the month after the application because they received TANF in another state, is considered to be receiving TANF for the purposes of this rule. The client can get AREN if they meet all other eligibility factors.

EXAMPLE

In March, a TANF eligible family moves from California to Washington. The family applies for assistance in Washington on 3/15/02, and is determined TANF eligible. Because the family received March TANF benefits from California, their Washington TANF grant cannot be opened until 4/1/02. The clients can get AREN in March if they meet all other program requirements.

3. Use of AREN for temporary housing:

The intent of the AREN program is to get clients into housing that they can afford on an ongoing basis. Paying for a hotel or motel stay should be a last resort and for a short term.

4. AREN to get or prevent a shut off of basic telephone service:

We only allow AREN to get phone service or prevent a shut off of basic service when the client can show a need for the service to meet the client's health and safety needs. Refer clients who need help with their basic phone service to the local phone company to apply for the Washington Telephone Assistance Program (WTAP). See chapter 388-31 WAC. Examples of clients that may need a phone for health and safety reasons include:

- a. Elderly or disabled clients;
- b. Clients who need access to emergency services. (e.g. a parent of a child who is on a ventilator would need a phone to contact an ambulance in an emergency); and
- c. Domestic violence victims or others who are likely to need police protection.

5. When a client leaves an AU that received AREN in the last 12 months:

The 12-month period follows adults and minor parents that were not living with an adult when the AU received AREN.

EXAMPLE 1

Susan, her minor daughter Cindy, and Cindy's child get TANF. They received AREN for an emergency housing need on August 5, 2000. Cindy later moved out of the TANF AU with the child. Cindy requested AREN on October 5, 2000. The worker decided that Cindy had a good reason for not having money to meet their needs. Cindy is a minor and lived with an adult when her AU received AREN. Cindy could get AREN.

EXAMPLE 2

TANF AU of mom, dad, and two children received AREN in August. Mom and one of the children moved out of the AU at the end of August. Mom was an adult member of an AU that received AREN in the last 12 months. If mom requested AREN after the initial 30-day period, her request would be denied.

6. Exception to rule (ETR):

We do not authorize ETRs for AREN.

WORKER RESPONSIBILITIES

When a client requests AREN, have the client complete the Emergency Assistance Request form DSHS 14-337X. If a client makes the request by phone, complete the form for the client. Do not require a signature on the form. Complete the steps below to decide if the client is eligible for AREN and how much to issue:

1. Document the client's request for AREN in the ACES Narrative.
2. Decide if the client is eligible for TANF/SFA or RCA:

- a. If the client is not eligible for TANF/SFA or RCA, the AU is not eligible for AREN. If the client doesn't get food assistance or medical benefits, ask the client if they want to apply for them.

NOTE: Complete all AREN denials in writing. Use ACES letter 0075-02 AREN Status.

- b. If the client is eligible for TANF/SFA or RCA, continue to the next step.

EXAMPLE 1

A three-person AU applies for AREN. Mom's gross earned income is \$1500 a month. The AU isn't eligible for AREN because the AU doesn't meet the gross earned income limit of \$1092 for the AU size. Ask the client if they want to apply for medical and food assistance.

EXAMPLE 2

A two-person AU applies for TANF and AREN. Mom earns \$800.00 monthly. The AU has no other income. Both the mother and the 17-year old child have been convicted of a felony in 1998 for selling drugs. The AU is not eligible for AREN. Since the AU isn't eligible for food assistance either, ask the client if they want to apply for medical assistance.

EXAMPLE 3

A four-person AU applies for AREN. The father is the only person with income. He gets \$800 a month in unemployment compensation. The AU is not eligible for AREN because the AU's unearned income is greater than the TANF/SFA and RCA payment standard of \$642 for the AU size. Ask the client if they want to apply for medical and food assistance.

EXAMPLE 4

A three-person AU applies for AREN. Mom earns \$900.00 monthly. The AU has no other income. They meet all the requirements for TANF eligibility. Continue to the next step below to decide if the client has an emergency housing or utility need.

3. Decide if the client has an emergency housing or utility need and the amount of the need. The client must have an emergency need under WAC 388-436-0002 (3).
 - a. If the client does not have an emergency housing or utility need, the AU is not eligible for AREN.
 - b. If the client has an emergency housing or utility need, obtain proof of the client's need and the cost it would take to end the emergency.

NOTE: See **VERIFICATION** for information on how to get verification. If you need to request verification of the amount of the client's emergency need in writing, use ACES letter 0075-02 AREN Status.

NOTE: A statement from the client or their landlord that they are simply behind on their rent doesn't necessarily meet the emergency requirement. At that point, the landlord may be willing to make arrangements for a payment plan with the client.

- c. Decide if you can use AREN to meet the client's emergency housing or utility need. We can only use AREN to help a client get or keep housing and utility services. Use the table below to find out which needs we can pay through AREN.

ELIGIBILITY A-Z**Emergency Assistance**

Emergency Need	AREN payment?	Comments
Back Rent	Yes	
Car Repair	No	
Clothing	No	
Credit Card Bills	No	
Deposits for rent or utilities	Yes	
Food	No	<ul style="list-style-type: none">• If client doesn't get food assistance, ask if they want to apply.• We may replace food bought with food assistance benefits and lost in household disaster. See WAC 388-412-0040.
Furniture	No	
Home repairs	Yes	<ul style="list-style-type: none">• When the damage puts the client's health or safety at risk; and• The client owns the home; or• The landlord won't fix the damage and it's less expensive to fix the damage than to move.
Licensing, auto fees, automobile insurance	No	
Relocation	Yes	<ul style="list-style-type: none">• To flee domestic violence.• To leave unsafe housing.• As a lower cost option to paying back rent to prevent eviction.
Short-term lodging such as motels	Yes	<ul style="list-style-type: none">• Only when there is no other option.• Decide how long of a stay to approve based on when you expect the client to get more permanent housing.• Not allowed on an ongoing basis.
Utility Bills	Yes	<ul style="list-style-type: none">• The least amount to prevent a utility shut off.• For phone service, only the amount to keep local phone service when the client needs the service for their health and safety.

NOTE: If you can meet the client's emergency needs using AREN, continue to the next step. If not, the AU isn't eligible for AREN. If the client gets TANF or SFA, look to see if you can meet the need with WorkFirst support services.

EXAMPLE 1

A four-person AU applied for TANF and requested AREN to pay for new housing and furniture. The AU currently lives in a domestic violence shelter. The AU has no income, but will get \$642 in TANF monthly. The rent for the new apartment is \$450 a month. We can use AREN to get the new apartment, but not for furniture. Refer the client to resources in the community to see if someone can help with the client's furniture needs.

EXAMPLE 2

A two-person AU asked for AREN to help pay for their overdue utility bill and current long-distance telephone bill. The family provided proof that their usual monthly income covers these expenses but due to an injury, the client missed 6 weeks of work. The client had a claim for L&I, but after a delay the client ended up receiving benefits for 2 weeks instead of the six weeks of benefits the client expected. We can use AREN for the utility costs.

We don't pay the long distance bill, because the service isn't a health or safety factor. If the client doesn't already get local phone service at a reduced rate, refer them to the local phone company to apply for the Washington Telephone Assistance Program (WTAP).

EXAMPLE 3

A TANF AU requested AREN to help pay for a leak in the roof. The AU lives in an apartment and the lease agreement states that the landlord is responsible for maintenance and repairs of the apartment. The AU would have to contact the landlord and have them fix the roof. The client can reference the Residential Landlord-Tenant Act to persuade the landlord to make the needed repairs. If the family's health or safety is endangered and the landlord refuses to make the needed repairs, use AREN for the **least expensive option** of making the repair or relocating the client.

EXAMPLE 4

A three-person TANF AU requested AREN to help prevent eviction. The AU provided court papers showing the amount they owed. In order to avoid eviction, the AU needed to pay \$600.00 in back rent and \$80.00 in court and legal fees. We can use AREN to pay for the legal and court fees **only if** it will prevent the AU from being evicted or foreclosed.

4. Decide if the client has good reason for why the AU doesn't have enough money to pay for the expense. If the client has good reason, continue to the next step. If not, the AU is not eligible for AREN. Some questions to look at when you decide if a client has good reason include:
 - a. Did the client misuse their money?
 - b. Did the client spend their money in a reasonable manner under the circumstances?
 - c. Was the client's choice to spend their funds reasonable at that time?
 - d. Is the client in sanction?
 - (1) If the client would have the emergency expense even if the client were not in sanction, the sanction doesn't automatically make the client ineligible for AREN.
 - (2) If the sanction directly caused the need, the AU is not eligible for AREN. The client could cure the sanction and be potentially eligible for AREN if they begin to meet cooperation requirements.
 - e. Did the client spend their money on necessary expenses?
 - f. Do the client's circumstances, such as mental or physical disability, explain why they used their money in a way that would not typically be looked at as a reasonable? If so, you should discuss Necessary Supplemental Accommodation (NSA) services available to the client. See WAC 388-200-1300.

- g. Will paying the request meet the client's short-term emergency need, or will the client continue to need additional assistance? (Will the action just delay what will happen anyway?) If the request will just delay the emergency need, you may want to discuss other options with the client.

NOTE: These guidelines don't cover every acceptable reason for a client to not have money to meet their expenses. If you are not sure if a client has good reason for how they spent their funds, you may want to talk to your lead worker or supervisor about the situation.

EXAMPLE 1

A three-person AU requests AREN to pay for rent that is two months behind. The AU's income is their TANF grant of \$546. The AU lives in subsidized housing and has a rent cost of \$300 a month. To decide if the AU is eligible for AREN, we must look how the AU spent their grant for the last two months. The AU must show that their TANF grant was used to pay other necessary expenses as listed in WAC 388-436-0002. Make your decision based on information that is readily available to the AU.

EXAMPLE 2

A family of four applied for assistance and asked for AREN to pay a utility bill and rent that is three months past due. The mom left her job a week ago when she was diagnosed with cancer. Her overdue utility bill is \$400 and her overdue rent is \$1800. Her monthly rent is \$600. Although the family has an emergency housing need, we must look at how the AU has spent their money for the last three months.

- Were the AU's earnings used to pay for necessary expenses, such as medical care?
- Will the AU be able to pay for the ongoing rent of \$600 in addition to their other bills?
- Will the AU's only source of income be the TANF grant of \$642 or will they have other forms of income, such as SSI or child support in addition to TANF, that will be available to meet their future needs?
- If not, it would be more appropriate to look at AREN to help the family get housing they could afford based on the AU's change in income.

EXAMPLE 3

A three-person AU requested AREN to pay \$1600 for rent that is two months overdue. The ongoing rent is still \$800 a month, and the AU's only income is the TANF grant of \$546 a month. Even if the AU has good reason for their lack of funds to meet the emergency need, you may not want to issue AREN to prevent the eviction. The AU is living beyond their means and can't show how they will be able to afford this expense in the near future. Instead, consider looking at using AREN to help the family avoid homelessness by getting housing that they can afford based on their income.

5. Review the AU's AREN screen to find out if the client received an AREN payment in the last 12 months. Do not count any AREN payments made before 8-1-2000. If the client received AREN in the last 12 months, they are not eligible for AREN.
 - a. We may pay AREN all at once or over the thirty-day period from the date we issued the first AREN payment.
 - b. We can pay AREN to one vendor for an emergency housing / utility need or for several need types to different vendors.

EXAMPLE 1

If a homeless client needs a short stay in a motel on August 25th while they look for permanent housing, we could issue AREN on September 22nd to allow the client to get permanent housing.

EXAMPLE 2

If a client comes in with an eviction notice on the 1st of the month and a utility shut off notice on the 25th, we can use AREN to pay the landlord and the utility company as long as they meet the AREN requirements.

EXAMPLE 3

If a client gets AREN on September 19th 2000, they could be eligible for AREN again on September 1st of 2001.

EXAMPLE 4

Mom and dad get TANF for their two children. They received AREN for their emergency housing needs on August 10. Mom and dad split up at the end of August. Dad moved out with one child and is now in a new AU. Mom stayed in the home with the other child and is in the original AU. On October first, dad requested AREN for a utility shut off. Dad was an adult member of an AU that received AREN in the last 12 months. His request would be denied.

NOTE: The limit on AREN one thirty-day period over 12 months applies to an AREN payment for any allowable needs during the 30-day period. It does not mean that we can have a new thirty-day period for each kind of housing need.

6. Determine the lowest amount that will end the client's emergency housing or utility need up to the maximum of \$750.00. Pay the lowest amount needed to end the emergency, not just delay the emergency for a few months. Use the following steps to decide on the lowest amount:
 - a. Contact the person the client owes the payment (landlord, utility company, etc.). Find out what it will take to prevent the client from being evicted or having their utilities shut off. Ask the vendor if they will set up a payment plan for the debt or if they will accept a partial payment and have the client set up a realistic repayment plan for the rest of the bill. Don't provide legal advice or attempt to settle a client's legal claims.

NOTE: If the utility company provides services not related to the client's health or safety (e.g. one company provides electric, phone, cable, and garbage), find out if the provider will separate the expenses. Do **not** pay for services that aren't related to health and safety if the company will separate the expenses.

- b. Look at what resources the client **has available** to meet the need (e.g. cash, checking, savings). Reach an agreement with the client on how much of the need they can cover. Clients do not have to use all of their resources to meet the emergency need. Look at what other expenses the

client may need to pay. The following are examples of possible resources:

- (1) Money on hand in the form of cash, checking or savings.
 - (2) Income the AU has that is excluded for cash assistance. (income of an SSI child, earnings of an ineligible AU member, etc.)
 - (3) Money other individuals such as family or friends voluntarily provide.
 - (4) Money from a non-needy relative caretaker living in the home.
- c. Check other resources that may be able to meet the client's needs:
- (1) If the client doesn't get and isn't applying for ongoing TANF/SFA benefits, use Diversion Cash Assistance (DCA) instead of AREN. See WAC 388-432-0005 for information on DCA.

EXAMPLE

In December, a TANF-eligible family of three requests AREN for \$500 to repair the heater in their home. The family doesn't have any other safe and reliable way to keep their home heated. The family isn't on assistance and doesn't want ongoing assistance. The family's gross income is normally \$900 a month, but the father had to take a leave of absence for two months due to a medical emergency. Even though AREN would cover this expense, we would not authorize AREN for the repairs. Since the client is eligible for TANF but isn't requesting ongoing benefits, we must look at their eligibility for Diversion Cash Assistance for the emergency housing need under WAC 388-432-0005.

- (2) Look at what community resources **are available** to the client to meet the emergency need. (e.g. Catholic Charities, LIHEAA, Millionaire's Club, Multi-Service Center, Salvation Army, St. Luke's, St. Vincent DePaul, etc.) Do not pend or delay a request for AREN to allow time for the client to pursue these resources.

7. After you determine the least amount necessary to meet a client's emergency housing or utility need, issue the AREN for the approved needs by vendor payment. Use EBT authorization **only** when a vendor payment is not possible or when immediate payment is critical. If you use EBT, tell the client when we will deposit the money for their emergency need in the EBT account. Use ACES letter 0075-02 AREN Status and call the client.
8. Review the circumstances that led to the client requesting AREN and decide if the client should have a protective payee under WAC 388-460-0020 and WAC 388-460-0035. Refer the client to social services to get a payee if necessary.
9. Document the following in the remarks of the AREN screen for the AU:
 - a. Date and amount of request;
 - b. Date AREN was last approved;
 - c. Eligibility for TANF/SFA or RCA;
 - d. The type of housing/utility emergency the client has;
 - e. The good reason for not having funds to meet their expenses;
 - f. The lowest amount needed to end the emergency need and how you determined this amount. Include the name, title, and phone number of the person you spoke with if you used a collateral contact;
 - g. Whether or not you approved AREN; and
 - h. Amount approved if any.